



Town Council Agenda Report

SUBJECT: Resolution

CONTACT PERSON/NUMBER: Daniel J. Stallone, Code Compliance Official 797-1121

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIEN IN CASE NO. 87-112 FROM \$22,000 IN AMOUNT TO \$3,239.19; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The property owners were cited for violations of Town Code Sections 11-17, storage/parking of abandoned property; 9-51(a), accumulation of debris/trash; 9-51(b), accumulation of weed and wild growth; and 27-62, nuisance conditions. All violations in this case have been corrected and mitigation is now possible.

Non-Compliance Hearing:	February 4, 1988
Days of Non-Compliance:	110 Days
Fine/lien Imposed:	\$22,000
Mitigation amount:	\$3,239.19

PREVIOUS ACTIONS: Not Applicable

CONCURRENCES: The respondents agreed with the staff mitigation guidelines.

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s): Resolution, Mitigation Request Summary

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIEN IN CASE NO. 87-112 FROM \$22,000 IN AMOUNT TO \$3,239.19; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, A. Ulino, Jr. and Kathleen E. Ulino, requested a mitigation of a Code Compliance lien from \$22,000 to \$3,239.19; and

WHEREAS, the Town of Davie Code Compliance Division has determined that the violation of Code Sections 11-17, 9-51(a), 9-51(b), and 27-62 were corrected; and

WHEREAS, the Town of Davie Code Compliance Division staff suggested that based upon recommended mitigation guidelines, the mitigation of the original lien be from \$22,000 to \$3,239.19; and

WHEREAS, A. Ulino, Jr. and Kathleen E. Ulino, and the Town of Davie Code Compliance Division are agreeable to such mitigation.

WHEREAS, the Town Council is agreeable to such mitigation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the certain Code Compliance lien arising out of Case 87-112 in the amount of \$22,000, against A. Ulino, Jr. and Kathleen E. Ulino, is hereby mitigated in amount to \$3,239.19.

SECTION 2. That this mitigated amount of \$3,239.19 be paid to the Town within 45 days of the enactment of this Resolution. Should this amount of \$3,239.19 not be paid within the specified time the lien shall revert to the original amount of \$22,000.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2000.

MAYOR/COUNCIL MEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000.

MITIGATION REQUEST SUMMARY

DATE: July 18, 2000

NAME: A. Ulino, Jr. and Kathleen E. Ulino

ADDRESS: 14101 SW 36 Court, Davie, FL

CASE: 87-112

SUMMARY:

Date of Final Order:	September 14, 1987
2nd Non-Compliance Hearing	February 4, 1988
Fine/Lien(s) Imposed:	\$22,000.00

Original fine:	\$22,000.00
7.5% of amount	\$ 1,650.00
4% for correction of violation within 120 days (110 days)	\$ 880.00
Base costs to Town	<u>\$ 709.19</u>
Total	\$ 3,239.19

Department Guideline recommended mitigation amount:	\$ 3,239.19
Amount the respondent desires to pay:	\$ 3,239.19
Date respondent requested mitigation:	June 3, 2000
Date of Mitigation Hearing by Special Master:	N/A Direct to Council in agreement with Guidelines.

The property owners were cited for violations of Town Code Sections 11-17: storage/parking of abandoned property, 9-51(a): accumulation of debris/trash, 9-51(b): accumulation of weed and wild growth and 27-62: nuisance conditions. All violations in this case have been corrected and mitigation is now possible.

The mitigated amount will cover the Town expenses and the recommended mitigated amount of \$3,239.19 should be considered and approved by the Town Council and the respondent(s) given 45 days to pay the mitigated amount.

DANIEL J. STALLONE
CODE COMPLIANCE OFFICIAL